

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES OF AMERICA,	:	
<i>Appellee,</i>	:	No. 23-3083
	:	
v.	:	
	:	
JOHN H. STRAND,	:	
<i>Appellant.</i>	:	

**APPELLANT’S MOTION FOR EXTENSION OF TIME TO COMPLY WITH
COURT’S INITIAL FILINGS ORDER**

Appellant, John Strand, by counsel, moves the Court for an extension of time to comply with the Court’s June 7, 2023 Order directing Strand to file the docketing statement, entry of appearance, and transcript status report.

Strand’s appellate counsel entered an appearance in the district court, filed the notice of appeal, and is a member of this Court. Yet, for some reason, he did not receive any notice, electronic or otherwise, of the Court’s June 7 Order. It appears that electronic notice was sent instead to Strand’s trial counsel, who is not representing Strand in this appeal. Trial counsel did not forward the notice to the undersigned. On June 8, current counsel received an email from an employee in the Office of the Clerk. The body of the email was blank. In a phone call

with the Clerk's office on June 29, counsel learned that the June 8 email was apparently intended to put him on notice of the Court's June 7 Order. Counsel explained to the Clerk's Office that when he opened the blank email it did not occur to him that the Court would be providing notice in that fashion, especially given that he had received no Notice of Electronic Filing through CM/ECF in connection with this appeal.

For all these reasons, Strand submits that there is good cause to grant his motion. He files the relevant documents together with this motion.

Respectfully submitted,

Date: June 29, 2023

/s/ Nicholas D. Smith
Nicholas D. Smith (D.C. Bar No.1029802)
1123 Broadway
Suite 909
New York, NY 10010
Phone: (917) 902-3869
nds@davidbsmithpllc.com

Counsel for Appellant

CERTIFICATE OF PARTIES

I hereby certify, under FED. R's. APP. P. 32(g) and 27(d)(2)(A), that the foregoing motion was prepared in Century Schoolbook 14-point font and contains 228 words.

/s/ Nicholas D. Smith

Date: June 29, 2023

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing motion with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the appellate CM/ECF system on June 29, 2023. Counsel of record will be served by the appellate CM/ECF system.

/s/ Nicholas D. Smith